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B1 (Official Form 1) (12/11) UNITED STATES BANKRUPTCY COURT VOLUNTARY PETITION **SOUTHERN DISTRICT OF NEW YORK** Name of Debtor (if individual, enter Last, First, Middle): PARK SIDE ESTATES, LLC Name of Joint Debtor (Spouse) (Last, First, Middle): All Other Names used by the Joint Debtor in the last 8 years All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): 20-0848458 (if more than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): **202 GRANDVIEW AVENUE** MONSEY, New York ZIP CODE 10952 ZIP CODE County of Residence or of the Principal Place of Business: ROCKLAND County of Residence or of the Principal Place of Business: Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): 143-159 CLASSON AVENUE, BROOKLYN, NEW YORK ZIP CODE 11205 Type of Debtor Nature of Business Chapter of Bankruptcy Code Under Which (Check one box.) (Form of Organization) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtors) Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign 11 U.S.C. § 101(51B) See Exhibit D on page 2 of this form. Chapter 11 Main Proceeding Corporation (includes LLC and LLP) Railroad Chapter 12 Chapter 15 Petition for Partnership Stockbroker Chapter 13 Recognition of a Foreign Other (If debtor is not one of the above entities, check Commodity Broker Nonmain Proceeding this box and state type of entity below.) Clearing Bank Other Chapter 15 Debtors Tax-Exempt Entity Nature of Debts (Check box, if applicable.) Country of debtor's center of main interests: (Check one box.) Debts are primarily consumer X Debts are debts, defined in 11 U.S.C. Debtor is a tax-exempt organization primarily Each country in which a foreign proceeding by, regarding, or under title 26 of the United States § 101(8) as "incurred by an business debts. against debtor is pending: Code (the Internal Revenue Code). individual primarily for a personal, family, or household purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one box: Х Full Filing Fee attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,343,300 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/13 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b) Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors Estimated Number of Creditors X 100-199 200-999 1-49 50-99 1,000-5,001-10,001-50,001-25,001-Over 10.000 5.000 25.000 50,000 100,000 100.000 Estimated Assets П X П \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million Estimated Liabilities П П [X] П П \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$0 to \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million

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DI (Official Form 1) (12/11)		Page 2		
Voluntary Petition	Name of Debtor(s): PARK SIDE ESTA	TES, LLC		
(This page must be completed and filed in every case.)				
All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attac		T		
Where Filed: NONE	Case Number:	Date Filed:		
Location	Case Number:	Date Filed:		
Where Filed:		Bate Tiled.		
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this D	ebtor (If more than one, attach additional sheet.)			
Name of Debtor: NONE	Case Number:	Date Filed:		
District:	Relationship:	Judge:		
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K 10Q) with the Securities and Exchange Commission pursuant to Section 13 or of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.	and (To be completed if debt whose debts are primarily  I, the attorney for the petitioner named in the informed the petitioner that [he or she] may of title 11, United States Code, and have ex such chapter. I further certify that I have del by 11 U.S.C. § 342(b).  X	x		
Exhibit C  Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?  Yes, and Exhibit C is attached and made a part of this petition.  No.				
Exhibit D  (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)  Exhibit D, completed and signed by the debtor, is attached and made a part of this petition.  If this is a joint petition:  Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition.				
Information Reg.	arding the Debtor - Venue			
	ny applicable box.) place of business, or principal assets in this District	for 180 days immediately		
There is a bankruptcy case concerning debtor's affiliate, general	al nartner or partnership pending in this District			
Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.				
Certification by a Debtor Who Resides as a Tenant of Residential Property  (Check all applicable boxes.)				
Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)				
(Name of landlord that obtained judgment)				
(Address of landlord)				
Debtor claims that under applicable nonbankruptcy law, there entire monetary default that gave rise to the judgment for po	Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and			
Debtor has included with this petition the deposif with the coof the petition.				
Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(I)).				

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B1 (Official Form 1) (12/11) Page 3 Voluntary Petition Name of Debtor(s): PARK SIDE ESTATES, LLC (This page must be completed and filed in every case.) Signatures Signature(s) of Debtor(s) (Individual/Joint) Signature of a Foreign Representative I declare under penalty of perjury that the information provided in this petition is true I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and correct. [If petitioner is an individual whose debts are primarily consumer debts and has and that I am authorized to file this petition. chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 (Check only one box.) or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. ☐ I request relief in accordance with chapter 15 of title 11, United States Code. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I Certified copies of the documents required by 11 U.S.C. § 1515 are attached. have obtained and read the notice required by 11 U.S.C. § 342(b). Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the I request relief in accordance with the chapter of title 11, United States Code, chapter of title 11 specified in this petition. A certified copy of the specified in this petition. order granting recognition of the foreign main proceeding is attached. X Signature of Debtor (Signature of Foreign Representative) X Signature of Joint Debtor (Printed Name of Foreign Representative) Telephone Number (if not represented by attorney) Date Signature of Aftorney\* Signature of Non-Attorney Bankruptcy Petition Preparer Χ I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as Signature of Attorney for Debtor(s)

A. MITCHELL GREENE defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information Printed Name of Attorney for Debtor(s)
See Attachment 1 required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum Firm Name fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor 875 THIRD AVENUE, 9TH FLOOR or accepting any fee from the debtor, as required in that section. Official Form 19 is **NEW YORK, New York 10022** attached. Address (212) 603-6300 Telephone Number Printed Name and title, if any, of Bankruptcy Petition Preparer Social-Security number (If the bankruptcy petition preparer is not an individual, \*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a state the Social-Security number of the officer, principal, responsible person or certification that the attorney has no knowledge after an inquiry that the information partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) in the schedules is incorrect. Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true Address and correct, and that I have been authorized to file this petition on behalf of the The debtor requests the relief in accordance with the chapter of title 11. United States Signature Code, specified in this petition. ample Date gnature of Author rized Individual MOSHE JUNGER Signature of bankruptcy petition preparer or officer, principal, responsible person, or Printed Name of Authorized Individual MANAGING MEMBER partner whose Social-Security number is provided above. Title of Authorized Individual Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual. If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or

both. 11 U.S.C. § 110; 18 U.S.C. § 156.

#### **Attachment**

Attachment 1

ROBINSON BROG LEINWAND GREENE GENOVESE & GLUCK P.C.

SOUTHERN DISTRICT OF NEW YORK				
In re:	Chapter 11			
PARK SIDE ESTATES, LLC,	Case No.:			
Debtor.				

#### **AFFIRMATION PURSUANT TO LOCAL BANKRUPTCY RULE 1007-3**

MOSHE JUNGER, affirms the following:

- 1. I am the Managing Member of **PARK SIDE ESTATES, LLC** (the "Debtor"). I am fully familiar with the facts set forth herein, and am authorized to make this Affirmation on behalf of the Debtor.
- 2. The Debtor owns the real property and improvements located at 143-159 Classon Avenue, Brooklyn, New York, which are improved by two buildings with 37 residential units, commercial units and parking (the "Properties").
  - 3. No pre-petition committee was organized prior to the Order for relief.
  - 4. The Secured Creditors of the Debtor are as follows:

COMMUNITY PRESERVATION CORPORATION ("CPC") 28 EAST 28TH STREET 9TH FLOOR NEW YORK, NEW YORK 10016

CONSOLIDATED BRICK & BUILDING SUPPLIES, 650 BODWELL STREET EXTENSION AVON, MASSACHUSETTS 02322

CONTACT ELECTRIC CORP. 3561 12TH AVENUE

{00608545.DOC;1}

2ND FLOOR BROOKLYN, NEW YORK 11218

DONATIVE CONCRETE, INC. 121 BERKSHIRE DRIVE FARMINGVILLE, NEW YORK 11748

ENVIRONMENTAL CONTROL BOARD OF THE CITY 66 JOHN STREET NEW YORK, NEW YORK 10038

LUXURY DESIGN INC. 193 WILLIAMSBURG STREET WEST LOWER LEVEL BROOKLYN, NEW YORK 11211

M&O IRON WORKS INC. 1516 SCHENECTADY AVENUE BROOKLYN, NEW YORK 11203

MIDWOOD LUMBER & MILLWORK INC. C/O BORIS MOTOVICH 1100 CONEY ISLAND AVENUE BROOKLYN, NEW YORK 11230

- 5. The names and addresses of the twenty largest unsecured creditors, excluding insiders, appears on Schedule "A" to this Affidavit.
- 6. To the best of my knowledge, the only suits or proceedings pending against the Petitioner are as follows:

COMMUNITY PRESERVATION CORP. vs. PARK SIDE ESTATES LLC, ET. AL.

- Supreme Court of the State of New York - Kings County - Index No. 29529/2010

DONATIVE CONCRETE V. PARK SIDE ESTATES LLC – Supreme Court of the State of New York – Kings County – Index No. 00476/2012

PARK SIDE ESTATES, ET. AL. V. THE COMMUNITY PRESERVATION

CORPORATION - Supreme Court of the State of New York – Rockland County

- 7. The Debtor's principal assets are the Properties and causes of action against CPC.
- 8. The purpose of filing this petition is to preserve the assets of the Debtor for the benefit of the creditors and equity holders, and to preserve priorities of creditors.
- 9. The estimated amount of payroll due to the Debtor's employees, excluding officers, for a period of thirty days following the filing of the petition is \$0.
- 10. The estimated budget operating expenses of the Debtor for the next thirty days are being determined at this time and the budget will be filed shortly,
- 11. The Debtor's financial difficulties were caused by CPC's breach of contract that prevented completion of construction of the Properties and a judgment of foreclosure entered in favor of CPC.

MOSHE JUNGER - MANAGING MEMBER

## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

In re:	PARK SIDE ESTATES, LLC	Case No.	Case No.	
	Debtors	Chapter 11		
	VEDICION TION OF ODE			

#### **VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated:	2/7/13	Signed: Market Signed
Dated:	ı	MOSHED JUNGER Signed:
Datod.	1000.	Cigitot.

Signed:

A. MITCHELL GREENE

Attorney for Debtor(s)

Bar no.:

875 THIRD AVENUE, 9TH FLOOR NEW YORK, New York 10022

Telephone No.: (212) 603-6300

Fax No.:

E-mail address:

ABRAHAM GLUCK 143 CLASSON AVENUE APT 1-D BROOKLYN, NY 11205

ABRAHAM GLUCK 189 LEE AVENUE BROOKLYN, NY 11211

ASHER GLUCK 143 CLASSON AVENUE APT 3-D BROOKLYN, NY 11205

ASHER GLUCK 137 RUTLEDGE STREET BROOKLYN, NY 11211

CHAIM EIGNER 143 CLASSON AVENUE APT 2-A BROOKLYN, NY 11205

CHAIM EIGNER 158 RUTLEDGE STREET BROOKLYN, NY 11211

COMMUNITY PRESERVATION CORPORATION 28 EAST 28TH STREET 9TH FLOOR NEW YORK, NY 10016

CONSOLIDATED BRICK & BUILDING SUPPLIES, 650 BODWELL STREET EXTENSION AVON, MA 02322

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CONTACT ELECTRIC CORP. 3561 12TH AVENUE 2ND FLOOR BROOKLYN, NY 11218

CONTACT ELECTRIC CORP. 1274 49TH STREET SUITE 65 BROOKLYN, NY 11219

DONATIVE CONCRETE, INC. 121 BERKSHIRE DRIVE FARMINGVILLE, NY 11748

ENVIRONMENTAL CONTROL BOARD OF THE CITY 66 JOHN STREET
NEW YORK, NY 10038

EZRIEL TAUBER 143 CLASSON AVENUE APT 1-B BROOKLYN, NY 11205

EZRIEL TAUBER 185 WALLABOUT STREET BROOKLYN, NY 11206

HILLEL HERSHKOWITZ 143 CLASSON AVENUE APT 1-C BROOKLYN, NY 11205

HILLEL HERSHKOWITZ 57 FRANKLIN AVENUE APT 5-A BROOKLYN, NY 11205

INTERNAL REVENUE SERVICE P.O. BOX 7346 PHILADELPHIA, PA 19114

ISSAC KOHN
143 CLASSON AVENUE
APT 2-C
BROOKLYN, NY 11205

ISSAC KOHN 190 ROSS STREET APT 1-B BROOKLYN, NY 11211

JOEL MEISELS
51 ROSS STREET
APT 7-F
BROOKLYN, NY 11249

JOEL MIESELS
143 CLASSON AVENUE
APT 1-A
BROOKLYN, NY 11205

JOSEPH HOFFMAN 143 CLASSON AVENUE APT 2-B BROOKLYN, NY 11205

JOSEPH HOFFMAN 42 SKILLMAN STREET APT 3-R BROOKLYN, NY 11205

LUXURY DESIGN INC. 193 WILLIAMSBURG STREET WEST LOWER LEVEL BROOKLYN, NY 11211

LUXURY DESIGN, INC. 240 BROADWAY BROOKLYN , NY 11211

M&O IRON WORKS INC. 1516 SCHENECTADY AVENUE BROOKLYN, NEW YORK 11203 MIDWOOD LUMBER & MILLWORK INC. C/O BORIS MOTOVICH 1100 CONEY ISLAND AVENUE BROOKLYN, NY 11230

MOSES FISHMAN 143 CLASSON AVENUE APARTMENT 4-D BROOKLYN, NY 11205

MOSES FISHMAN C/O EIDOREFER 90 ROSS STREET APARTMENT 6-E BROOKLYN, NY 11211

MOSES ROSNER 24 TAYLOR STREET BROOKLYN, NY 11249

MOSHE MOSKOVICS 143 CLASSON AVENUE APARTMENT 3-C BROOKLYN, NY 11205

MOSHE MOSKOVICS 274 PENN STREET BROOKLYN, NY 11211

NEW YORK STATE DEPARTMENT OF FINANCE BANKRUPTCY/SPECIAL PROCEDURES SECTION P.O. BOX 5300 ALBANY, NY 12205-0300

NYC DEPARTMENT OF FINANCE ATTN: LEGAL AFFAIRS - DEVORA COHN 345 ADAMS STREET, 3RD FL BROOKLYN, NY 11201

NYC WATER BOARD PO BOX 410 NEW YORK, NY 10008-0410 NYS UNEMPLOYMENT INSURANCE FUND P.O. BOX 551 ALBANY, NY 12201

RAYMOND HANNIGAN
HERRICK FEINSTEIN LLP
TWO PARK AVENUE
NEW YORK, NY 10016

SOLOMON SILBERSTEIN 143 CLASSON AVENUE APT 2-D BROOKLYN, NY 11205

SOLOMON SILBERSTEIN 287 DIVISION AVENUE APT 1-C BROOKLYN, NY 11211

UNITED STATES ATTORNEY'S OFFICE (SOUTHER ATTN: TAX & BANKRUPTCY UNIT 86 CHAMBERS STREET, THIRD FLOOR NEW YORK, NY 10007

YEHUDA EPSTEIN 143 CLASSON AVENUE APARTMENT 3-B BROOKLYN, NY 11205

YEHUDA EPSTEIN 81 DIVISION AVENUE BROOKLYN, NY 11211

YITZCHOK FISH 143 CLASSON AVENUE APARTMENT 4-C BROOKLYN, NY 11205

YITZCHOK FISH 270 MARCY AVENUE BROOKLYN, NY 11211